IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 29649 of 2007(D)

PETITIONER:

M/S. TVS INTERCONNECT SYSTEMS,
MEENA MADHAVAM, ELAMAKKARA P.O., KOCHI-682 026,
REPRESENTED BY ITS SCM EXECUTIVE,
SRI. NISHANTH JOSEPH.

BY ADV. SRI.A.KUMAR

RESPONDENTS:

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1. THE COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECKPOST, WALAYAR.

2. COMMISSIONER OF COMMERCIAL TAXES
(ASSMT.), DEPARTMENT OF COMMERCIAL TAX OFFICER,
SPECIAL CIRCLE-III, COMMERCIAL TAXES COMPLEX,
ERNAKULAM, KOCHI.

BY GOVERNMENT PLEADER SRI. K.P. PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C). 29649/2007

Dated this the 10th day of October, 2007

JUDGMENT

The prayer in this writ petition is to quash Ext.P5 and to direct the first respondent to release the goods to the petitioner. The goods transported by the petitioner is detained under Ext.P5. Learned counsel makes reference on Ext.P3 certificate of registration and the other documents and it is submitted that there is no force in the objection raised by the department in Ext.P5. On the other hand, learned Government Pleader contends that the ownership certificate do not contain countersignature and also refers to the contents of Ext.P5.

2. Now as the goods are under detention, I direct the first respondent to release the goods on the petitioner furnishing a bond without sureties. The respondents will thereafter continue the adjudication and decide the matter after hearing the parties.

Writ petition is disposed of as above.

ANTONY DOMINIC
Judge

mrcs